

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ABRAHAM SAMUEL PETRO	:	CIVIL ACTION
	:	
v.	:	
	:	
TOM HOGAN, et al.	:	NO. 98-4786

MEMORANDUM ORDER

Presently before the court is petitioner's pro se petition for a writ of habeas corpus and motion for leave to proceed in forma pauperis. Because petitioner avers that he has access to no funds, the motion for leave to proceed in forma pauperis will be granted.

Petitioner is suing the warden of the York County, Pennsylvania prison; the District Attorneys of York County, Brooklyn, New York and Dallas, Texas; the Attorneys General of Pennsylvania, New York, Texas and the United States; and, the "Jewish Satanic Sect." Petitioner has submitted a long rambling petition with numerous appended documents many of which also contain rather elaborate disjointed recitations by petitioner.

Petitioner states that he was prosecuted by the District Attorney of York County for receiving 11 traffic tickets and is serving a life sentence. As best as the court can discern from the convoluted submissions, petitioner was in fact convicted in the Supreme Court of Kings County, New York (Brooklyn) of aggravated unlicensed operation of a motor vehicle in the first degree and an appeal from that conviction is now pending. It

also appears that petitioner was detained in Dallas, Texas by the INS as a deportable alien and later housed at the York County prison pending the conclusion of administrative proceedings.

Petitioner complains about a misconduct he received for refusing to go through a metal detector at the prison. He states he has cancer and was concerned about exposure to radiation. He states he has not received appropriate attention for his disease and receives food which is poisoned. He states he is being subjected to an "unconstitutional method of Jewish sect terror." Petitioner seeks "restitution of \$13 million" and an order to "close the York Prison," to "release all aliens," to "stop genocide and medical experiments," and to "outlaw satanic methods and accomplices of the Jewish sect of terror in the USA."

York County is in the Middle District of Pennsylvania. It petitioner is truly being denied necessary care for a serious medical condition or otherwise being subjected to cruel or inhumane conditions of confinement, the appropriate means for relief would be an action against those prison officers actually responsible under 42 U.S.C. § 1983 in the Middle District which would have venue and personal jurisdiction over the defendants. Indeed, it appears that petitioner does have pending an action in the District Court for the Middle District although he does not provide specific information about it.

The petition otherwise is patently delusional and on its face clearly provides no basis for a writ of habeas corpus by

this court or the stated relief petitioner requests from the named defendants or anyone else.

ACCORDINGLY, this day of September, 1998, **IT IS HEREBY ORDERED** that petitioner's motion for leave to proceed in forma pauperis is **GRANTED**, petitioner's petition is **DENIED** and the above action is **DISMISSED**.

BY THE COURT:

JAY C. WALDMAN, J.